



JPW

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	10/773,306	
	Filing Date	February 9, 2004	
	First Named Inventor	Mark J. STEFIK, et al.	
	Group Art Unit	2131	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission		Attorney Docket Number	111325-127 (021100)

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input checked="" type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ol style="list-style-type: none"><li>1. Letter Requesting Correction of Inventorship Under 37 C.F.R. 1.48</li><li>2. Statements to be executed by Stefik; Piroli and Merkle in Support of the Letter re Correction of Inventorship Under 37 C.F.R. 1.48</li><li>3. Written Consent of the Assignee</li></ol>
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Carlos R. Villamar Registration No. 43,224 Nixon Peabody LLP 401 9 <sup>th</sup> Street, N.W., Suite 900 Washington, D.C. 20004-2128
Signature	
Date	3/15/06

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
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Date

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Typed or printed name

# FEE TRANSMITTAL FOR FY 2005

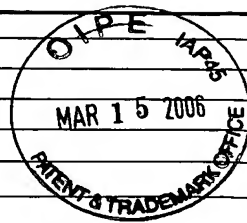
Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$40.00

Complete if Known

Application Number 10/773,306  
Filing Date February 9, 2004  
First Named Inventor Mark J. STEFIK, et al.  
Examiner Name Not Yet Assigned  
Art Unit 2131  
Attorney Docket No. 111325-127 (021100)



## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-2380

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
-20** =	X		0
Independent Claims	-3** =	X	0
Multiple Dependent	X		0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1204	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1,100	2503	550	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$40.00

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

Date

Signature

Typed or printed name

## SUBMITTED BY

Name (Print/Type) Carlos R. Villamar  
Signature

Registration No. 43,224  
(Attorney/Agent)

Complete (if applicable)

Telephone (202) 585-8203  
Date 3/15/06

SEND TO: Commissioner for Patents  
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Alexandria, VA 22313-1450



Attorney Docket No. 111325-127 (021100)  
Application No. 10/773,306

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT Application of	) Confirmation No. 6652
Mark J. STEFIK, <i>et al.</i>	) Group Art Unit: 2131
Application Serial No.: 10/773,306	) Examiner: Not Yet Assigned
Filed: February 9, 2004	)
For: <b>SYSTEM FOR CONTROLLING THE</b>	)
<b>DISTRIBUTION AND USE OF DIGITAL</b>	)
<b>WORKS UTILIZING DIGITAL TICKETS</b>	)

United States Patent and Trademark Office  
Customer Services Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 222314

**LETTER REQUESTING CORRECTION OF INVENTORSHIP**

**UNDER 37 C.F.R. 1.48**

Sir:

This letter requests the correction for the incorrect original naming of inventors in the above noted application filed on February 9, 2004. It is requested that the inventorship of the above identified application be corrected to add:

**Ralph Merkle**  
**1134 Pimento Avenue**  
**Sunnyvale, California 94087**

Pursuant to the requirements of 37 C.F.R. 1.48(a), please find attached a newly executed Declaration and Assignment by all the inventors, and letters from Mark J. Stefik and Peter L.T. Pirolli stating that the error in omission of Ralph Merkle as an inventor of the subject matter of at least one claim of the instant application occurred without deceptive intent on their part.



Attorney Docket No. 111325-127 (021100)  
Application No. 10/773,306

Respectfully submitted,  
**NIXON PEABODY, LLP**

By: \_\_\_\_\_

Carlos B. Villarreal

Registration No. 43,224

**NIXON PEABODY LLP**  
401 9<sup>th</sup> Street, N.W., Suite 900  
Washington, DC 20004  
Telephone: (202) 585-8000  
Facsimile (202) 585-8080



Attorney's Docket No. 111325-127 (021100)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	) Confirmation No.: 6652
Mark J. STEFIK, <i>et al.</i>	) Group Art Unit: 2131
Serial No. 10/773,306	) Examiner: Not Yet Assigned
Filed: February 9, 2004	)
For: <b>SYSTEM FOR CONTROLLING THE</b>	)
<b>DISTRIBUTION AND USE OF</b>	)
<b>DIGITAL WORKS UTILIZING</b>	)
<b>DIGITAL TICKETS</b>	)

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Alexandria, VA 222314

**STATEMENT BY MARK J. STEFIK**

**IN SUPPORT OF THE LETTER RE CORRECTION OF INVENTORSHIP**

**UNDER 37 C.F.R. 1.48**

Sir:

Pursuant to the requirements of 37 C.F.R. 1.48(a)(2), it is hereby stated that the error in failing to list Ralph C. Merkle as third inventor for the above identified patent application occurred without deceptive intention on my part.

Respectfully submitted,

Date: 21 Feb 2006

Mark J. Stefik  
Mark J. Stefik



Attorney's Docket No. 111325-127 (021100)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	) Confirmation No.: 6652
Mark J. STEFIK, <i>et al.</i>	) Group Art Unit: 2131
Serial No. 10/773,306	) Examiner: Not Yet Assigned
Filed: February 9, 2004	)
For: <b>SYSTEM FOR CONTROLLING THE</b>	)
<b>DISTRIBUTION AND USE OF</b>	)
<b>DIGITAL WORKS UTILIZING</b>	)
<b>DIGITAL TICKETS</b>	)

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Alexandria, VA 222314

**STATEMENT BY PETER L.T. PIROLI**  
**IN SUPPORT OF THE LETTER RE CORRECTION OF INVENTORSHIP**  
**UNDER 37 C.F.R. 1.48**

Sir:

Pursuant to the requirements of 37 C.F.R. 1.48(a)(2), it is hereby stated that the error in failing to list Ralph C. Merkle as third inventor for the above identified patent application occurred without deceptive intention on my part.

Respectfully submitted,

Date: 2/21/2006

Peter L.T. Pirolli  
Peter L.T. Pirolli



Attorney's Docket No. 111325-127 (021100)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	) Confirmation No.: 6652
Mark J. STEFIK, <i>et al</i>	) Group Art Unit: 2131
Serial No. 10/773,306	) Examiner: Not Yet Assigned
Filed: February 9, 2004	)
For: SYSTEM FOR CONTROLLING THE	)
DISTRIBUTION AND USE OF	)
DIGITAL WORKS UTILIZING	)
DIGITAL TICKETS	)

United States Patent and Trademark Office  
Customer Services Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 222314

**STATEMENT BY RALPH C. MERKLE**  
**IN SUPPORT OF THE LETTER RE CORRECTION OF INVENTORSHIP**  
**UNDER 37 C.F.R. 1.48**

Sir:

Pursuant to the requirements of 37 C.F.R. 1.48(a)(2), it is hereby stated that the error in failing to list myself as inventor of the above identified patent application occurred without deceptive intention on my part.

Respectfully submitted,

Date: Jan 14<sup>th</sup>  
2006

Ralph C. Merkle  
Ralph C. Merkle



Attorney's Docket No. 111325-127 (021100)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	) Confirmation No.: 6652
Mark J. STEFIK, <i>et al.</i>	) Group Art Unit: 2131
Serial No. 10/773,306	) Examiner: Not Yet Assigned
Filed: February 9, 2004	)
For: <b>SYSTEM FOR CONTROLLING THE</b>	)
<b>DISTRIBUTION AND USE OF</b>	)
<b>DIGITAL WORKS UTILIZING</b>	)
<b>DIGITAL TICKETS</b>	)

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Alexandria, VA 222314

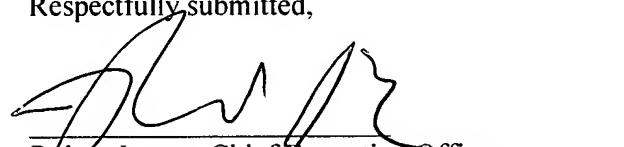
**WRITTEN CONSENT OF THE ASSIGNEE**  
**IN SUPPORT OF THE LETTER RE CORRECTION OF INVENTORSHIP**  
**UNDER 37 C.F.R. 1.48**

Sir:

Pursuant to the requirements of 37 C.F.R. 1.48(a)(2), it is hereby stated that the error in failing to list Ralph C. Merkle as third inventor for the above identified patent application occurred without deceptive intention on the part of the Assignee.

Respectfully submitted,

Date: 2/22/06

  
Robert Logan, Chief Executive Officer  
ContentGuard Holdings, Inc.  
Assignee





DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76) AND POWER OF ATTORNEY

Attorney Docket No. 111325-127 (021100)

Title of Invention **SYSTEM FOR CONTROLLING THE DISTRIBUTION AND USE OF DIGITAL  
WORKS UTILIZING DIGIAL TICKETS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/773,306 filed on February 9, 2004  
☐ as amended on \_\_\_\_\_ (if applicable);

I/We believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

I/We hereby appoint:

Practitioners at Customer Number 22204 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

FULL NAME OF INVENTOR(S)

Inventor one: Mark J. STEFIK

Signature: *Mark J. Stefik* Citizen of: UNITED STATES

Inventor two: Peter L.T. PIROLI

Signature: *Peter L.T. Piroli* Citizen of: CANADIAN

Inventor three: Ralph MERKLE

Signature: \_\_\_\_\_ Citizen of: UNITED STATES

☒ Additional inventors are being named on the additional form(s) attached hereto.



DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76) AND POWER OF ATTORNEY

Attorney Docket No. 111325-127 (021100)

Title of Invention	<b>SYSTEM FOR CONTROLLING THE DISTRIBUTION AND USE OF DIGITAL WORKS UTILIZING DIGITAL TICKETS</b>
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/773,306 filed on February 9, 2004  
☐ as amended on \_\_\_\_\_ (If applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

I/we hereby appoint:

Practitioners at Customer Number 22204 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

FULL NAME OF INVENTOR(S)

Inventor one: Mark J. STEPIK

Signature: \_\_\_\_\_ Citizen of: UNITED STATES

Inventor two: Peter L.T. PIROLI

Signature: \_\_\_\_\_ Citizen of: CANADIAN

Inventor three: Ralph MERKLE

Signature: [Signature] Citizen of: UNITED STATES

☒ Additional inventors are being named on the additional form(s) attached hereto.

BEST AVAILABLE COPY